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DOCKET NO. MET1.0025

**PATENT APPLICATION**

**COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

As a below named inventor of an invention titled SYSTEM, METHOD, AND SOFTWARE APPLICATION FOR TARGETED ADVERTISING VIA BEHAVIORAL MODEL CLUSTERING, AND PREFERENCE PROGRAMMING BASED ON BEHAVIORAL MODEL CLUSTER, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled SYSTEM, METHOD, AND SOFTWARE APPLICATION FOR TARGETED ADVERTISING VIA BEHAVIORAL MODEL CLUSTERING, AND PREFERENCE PROGRAMMING BASED ON BEHAVIORAL MODEL CLUSTER the specification of which (check one)

is attached hereto

X is attached hereto  
X was filed on January 9, 2002 Application Serial No. 10/043,714  
and was amended on (or amended through) \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

**Priority  
Claimed**

\_\_\_\_\_ Number \_\_\_\_\_ Country \_\_\_\_\_ Day/Month/Year Filed \_\_\_\_\_ Yes X No

I hereby claim priority benefits under Title 35, United States Code Sec. 119(e) of the below listed United States provisional application(s):

60/260,745 January 9, 2001

January 9, 2001

Appln. Serial No.

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**Filing Date**

I hereby claim the benefit under Title 35, United States Code, Sec. 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Appln. Serial No.      Filing Date      Status (patented,  
pending, abandoned)

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## OFFICE OF PETITIONS

SHERMAN & SHERMAN

ATTORNEYS AT LAW

DOCKET NO. MET1.0025

PATENT APPLICATION

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JCP  
PATENT & TRADEMARK OFFICE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I/(We) hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: KENNETH L. SHERMAN, Registration No. 33,783; MICHAEL ZARRABIAN, Registration No. 39,886; and MILORD KESHISHZADEH, Registration No. 43,333 of

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Seventeenth Floor  
Los Angeles, California 90067  
Tel: (310) 789-3200

with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future telephone calls and correspondence should be directed and/or addressed to Kenneth L. Sherman, Sherman & Sherman.

37 C.F.R. § 1.47 (1) and 35 U.S.C. § 116 P 2 require all available joint inventors to file an application "on behalf" of themselves and on behalf of a joint inventor who "cannot" be found or reached after diligent effort " " or who refuses to "join in an application. " " M.P.E.P. § 409.03 (a), 6<sup>th</sup> ed., rev. 3 (emphasis added). See also 62 Fed. Reg. 53,131, 53 137, 203 O.G. 68 (Oct. 10, 1997).

I. I am an above named joint inventor and have signed this declaration on my own behalf and also sign this declaration under 37 CFR 1.47(a) on behalf of the nonsigning inventor, particulars for whom are:

Isaac Bentolila who is the tenth listed inventor and who refuses to sign

NOTE: The name of the non-signing inventor should preferably also be filled in at the appropriate prior space in the declaration, adding the words "non-signing inventor-completed on added page."

Citizenship: United States of America is the believed citizenship place of the non-signing inventor  
Believed last known address for non-signing inventor: 517 36<sup>th</sup> Avenue, Apt. 201, San Francisco, California 94121

NOTE: Ordinarily, the last known address will be the last known residence of the non-signing inventor(s). A post office box is insufficient. Other addresses at which the non-signing inventor(s) may be reached should also be given. These can best be given in the Statement of Facts In Support of Filing on Behalf of Omitted Inventor. M.P.E.P. § 409.03(e), 6<sup>th</sup> ed.

II. Accompanying this declaration is:

- (1) A Declaration and Statement of Facts in Support of Filing on Behalf of Non-Signing Inventor
- (2) A Petition Under 37 CFR 1.47(a) and Appropriate Fee

\*\*\*\*\*  
Full name of sole or first inventor: Isaac Bentolila

Inventor's signature: "Petition for Filing on Behalf of Non-Signing Inventor Under 37 CFR 147(a)

Date:

Residence: 517 36<sup>th</sup> Avenue, Apt. 201, San Francisco, California 94121

Citizenship: United States

Post Office Address: Same as above

\*\*\*\*\*  
Full name of sole or second inventor: Yiming Zhou

Inventor's signature: *Yiming Zhou*

Date:

*10/11/02*

Residence: 4800 La Habra St., Union City, California 94587

Citizenship: British

Post Office Address: Same as above

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ATTORNEYS AT LAW

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PATENT APPLICATION

\*\*\*\*\*  
Full name of sole or third inventor: Labeeb K. Ismail

Inventor's signature: Labeeb

Date: 10/11/02

Residence: 1369 Hyde Street #35, San Francisco, California 94109

Citizenship: Indian

Post Office Address: Same as above

\*\*\*\*\*  
Full name of sole or fourth inventor: Richard Humpleman

Inventor's signature: R. Humpleman

Date: 10/11/02

Residence: 343 Lower Vintners Circle, Fremont, California 94539

Citizenship: British

Post Office Address: Same as above

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231 on 10/11/02.

Evelyn Menjivar  
(Type or print name of person mailing paper)

Ellis K. Karp  
(Signature of person mailing paper)

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